

RESPONSE UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/544,565

REMARKS

Claims 2-22 are all the claims pending in the application.

Claims 19 and 21 are allowed.

Claims 4-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 3, 20, and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over previously-cited Hashizume et al. (US 5,592,258, hereafter “Hashizume”) in view of previously-cited Enomoto (US 6,324,345). Applicant respectfully traverses the rejection with the following comments.

In the current Office Action, the Examiner repeats the previous rejection of claims 2, 3, 20 and 22. In the “Response to Arguments,” the Examiner points to the mask opening 88a instead of the mask opening 31a in Hashizume, implying that there is a meaningful difference between the two. However, Applicant submits that neither of these two mask openings supports the Examiner’s rejection. Both cited mask openings 31a and 88a of Hashizume are used to determine whether a frame of the film is positioned properly. See col. 16, lines 40-44 and col. 15, lines 30-31 of Hashizume. By contrast, if Hashizume were modified to have the narrow mask slit disclosed by Enomoto, the mask opening could not be used to determine whether the frame is positioned properly, because the frame could be significantly offset from the proper position and still have the frame within the mask slit, since only a small portion of the frame is visible through the mask slit. See FIG. 6A of Enomoto.

RESPONSE UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/544,565

Furthermore, the mask opening 88a of Hashizume is provided in the exposure section, not in the scanner section. It is unthinkable that the slit 52a for scanning in Enomoto would be applied to the opening 88a for the exposure section of Hashizume. Also, it is unthinkable that the line sensor 48 of Enomoto would be used in the exposure section of Hashizume. Thus, the Examiner's reliance on the mask opening 88a of Hashizume is misplaced.

Also, the Examiner seems to think that the area image sensor and the line image sensor are interchangeable in Hashizume, because Enomoto recites both an embodiment using an area sensor and another embodiment using the line sensor. However, the aim of Hashizume is to determine whether a frame of the film is positioned properly by visual observation. Therefore, the mask opening 31a has a size corresponding to one frame of the film. On the other hand, Enomoto uses only optical sensors (col. 12, lines 8-22) to determine the position of the film, and there is no suggestion about visual observation. In Enomoto, which uses only the optical sensors, the area image sensor and the line image sensor are interchangeable. However, in Hashizume, which uses the visual observation, the area image sensor and the line image sensor are not interchangeable.

Additionally, modifying Hashizume by Enomoto in the manner suggested by the Examiner would render Hashizume unsatisfactory for its intended purpose of determining whether the frame is positioned properly. In this regard, the Examiner's reliance on cols. 11 and 14 does not support the rejection. The slits in the two references are addressed to two different purposes. A slit appropriate for a size and reading determination in Enomoto is not necessarily applicable to the positioning of Hashizume. Hence, one of ordinary skill in the art would not

RESPONSE UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/544,565

have been motivated to combine the references in the manner suggested by the Examiner.

Therefore, claim 2 is allowable over the prior art.

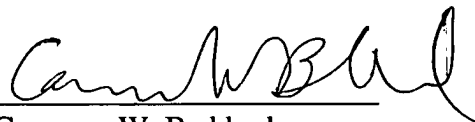
Applicant submits that claim 20 is allowable for analogous reasons to those for claim 2.

Claims 3 and 22 are allowable over the prior art, at least because of their dependence from claim 2.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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